



**Chief Criminal Judge Rules for Criminal Procedure Court
Per SLR 4.005
2025**

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I. INTRODUCTION/COMPLIANCE WITH OTHER PROVISIONS

1. This document replaces “Procedures Re: Disposition of Misdemeanor Cases in Criminal Procedure Court” issued in 2010 and “Misdemeanor Procedures from Arraignment to Trial” issued in 2019.
2. **Purpose:** This document provides the responsibilities and procedures for Criminal Procedure Court (“CPC”) and for the handling of misdemeanor cases unless otherwise addressed in a Presiding Judge Order, the Supplementary Local Rules or Uniform Trial Court Rules, or as directed by the Presiding Judge or Chief Criminal Judge.
3. **60-Day Speedy Trial Right:** All court dates for in-custody defendants must take into consideration 60-day issues under ORS 136.290 and 136.295.
4. **Defendants must appear in person at all court appearances unless otherwise allowed by this document or by court order.**
5. **OJD Time to Disposition:** The court works to comply with Oregon Judicial Department’s Time to Disposition Standards: For misdemeanors this means that 75% of cases should be resolved within 60 days; 90% within 90 days; and 98% within 180 days, 100% within one year.

II. ARRAIGNMENTS/FIRST APPEARANCES AT JUSTICE CENTER

1. The following procedures are required at arraignment for any misdemeanor offense:
 - a) Defense counsel may place on the record at the start of each arraignment session in the morning and again in the afternoon a recitation and reservation of rights on behalf of each defendant to be arraigned that day.
 - b) Defendants appearing out of custody who are requesting a Court Appointed Attorney must check in at the Indigent Defense Verification window if appearing in person, or call verification staff if appearing remotely, to fill out an application for a court appointed attorney. If a person wishes to hire an attorney, the court may proceed with the arraignment with the consent of the defendant and will set the case for a confirmation of attorney hearing.
 - c) The court will send the Release Assistance Officer (RAO) interview documents by email to defense contractors after they are completed.
 - d) The District Attorney’s Office will endeavor to provide to defense counsel all available discovery and a pretrial offer (but only for all defendants with no other open/pending cases) within 3 judicial days of arraignment.
2. Tracking cases from arraignment:
 - a) Misdemeanor cases may be set to track with a felony (other than murder) under the following circumstances:
 - i. If the parties on both the felony and misdemeanor agree to tracking;
 - ii. The judge has addressed any release or 60-day issues on the misdemeanor; and
 - iii. The order tracking a misdemeanor with a felony must include on the order the date, time and location of the next court date for the felony.
 - b) Traffic violations with the same incident date as the DUII case may track with the DUII case, without court order.
 - c) Tracking probation violations:

- i. Misdemeanor probation violation (PV) cases may only track with other cases if the state does not object and the defendant agrees to extend the probation expiration date to a date after the anticipated resolution of the new open case.
- ii. If the defendant is held in custody on the PV, they must waive, on the record, their right to a hearing within 14 days as provided in ORS 137.545 (6) and such waiver should be noted in the tracking order.
- d) No felony cases or felony probation matters may track pending misdemeanor cases or misdemeanor probation violations.
- e) All tracking cases will require a court order, unless otherwise noted. Orders may be signed at any hearing if they meet the above requirements.
- f) Tracking a newer misdemeanor case to an older misdemeanor case is not grounds to set over the older case.
- g) At assignment call, if a felony case to which a misdemeanor is tracked is sent out for trial, the misdemeanor will be ordered to untrack and will be set on the next Tuesday's CPC FP docket to pick trial dates within 30 days.
- h) Whenever either party believes the felony matter will not be resolved by plea, they are required to notify the court so that the misdemeanor case can be set on the CPC docket for trial dates. At any time, either party may request that the misdemeanor be untracked from the felony.

3. Dates to be Set at Arraignment:

The court will set future court dates in misdemeanor cases as follows:¹

a) Early Resolution (XPlea) Docket

- i. The following cases may be set on the Early Resolution Docket in the mornings in JC2 on Mondays, Wednesdays and Thursdays or as otherwise approved by the Presiding Judge:
 - 1) Driving While Suspended;
 - 2) Other cases as may be approved by the court.
- ii. The court will appoint attorneys on Early Resolution cases designated by the Portland Defense Consortium or whichever attorney holds a contract with OPDC to provide this service.
- iii. The District Attorney's Office provides to defendants who qualify for Early Resolution (XPlea) a pretrial offer and discovery at the time of arraignment.
- iv. If the defendant does not plea at the XPlea date, the JC2 judge will set court dates as described for regular misdemeanors in Sections VI and VII.

b) DUII Diversion and Expedited DUII ("XDUII") dockets:

- i. The DUII diversion entry docket is on Friday afternoons at the main courthouse. The diversion entry date will be assigned at arraignment. Defendant must appear in person for DUII Diversion Entry unless remote appearance is approved by the judge presiding over the docket and all necessary paperwork is correctly completed and filed with the court by noon the day prior to the hearing.
- ii. East County cases are set at the East County Courthouse.

¹ Where necessary, or for good cause shown, the court may order a different date to be set.

- iii. The “contested” diversion docket is held Tuesday afternoons at the main courthouse. The defendant must appear in person. The following matters are addressed on that docket:
 - 1) Contested or late entry into diversion;
 - 2) SB-35 extensions of diversion;
 - 3) Show cause orders for non-compliance;
 - 4) Sentencing for terminated diversion cases.
 - 5) Contested request to remove the Ignition Interlock Device (IID).
- iv. Expedited DUII Docket (“XDUII”): DUII complaints marked eligible for XDUII disposition are assigned to the XDUII docket from arraignment. The docket is on Friday mornings with the designated XDUII judge. Defendants are expected to appear in person for XDUII entry. Eligibility information and forms can be found here: <https://www.courts.oregon.gov/courts/multnomah/programs-services/pages/specialdockets.aspx>
- c) Except as indicated herein, misdemeanor cases, will receive two court dates (pretrial conference and final resolution hearings) on the schedule set out herein. (See Sections VI and VII).
- d) Violation of restraining order (VRO) cases will be set for a pretrial conference date two weeks from arraignment. A contested hearing date will be set at the pretrial conference.
- e) SED case procedures are set by the SED Court. This docket is for Child Support Contempt Cases or Child Support Deferred Sentencing cases. Dates are set at the time of arraignment or are set directly on the SED docket after issuance of a show cause order. Hearings are to be set on the SED Docket.
- f) Hearing New Dates: Defendants appearing for a hearing to set new dates after a warrant issued at any hearing after a Pretrial Conference was held will be given a Final Resolution Conference date 4 weeks out. Defendants making a first appearance on a new misdemeanor charge along with a hearing-new dates will follow scheduling in subsection (c).

III. CRIMINAL PROCEDURE COURT (CPC) DOCKETS

1. The CPC Call/Trial Assignment Docket is held Mondays through Thursdays beginning at 9 a.m. Trial assignments will be made as directed in Section VIII (7).
2. The CPC Further Proceedings (FP) Docket. Matters may be scheduled on the CPC FP docket by calling or emailing high volume case processing. The CPC FP docket is held Tuesdays, Wednesdays, and Thursdays after the call docket. The further proceedings that may be set on this docket are as follows:
 - a) Setting call and trial dates for cases.
 - b) Considering all setover requests.
 - c) Assigning and handling pleas (including DV cases), civil compromise hearings, speedy trial motions, warrant lifts, and other matters.
 - d) Substitution of counsel motions.
 - e) Warrant lifts but not for warrants ordered in the Justice Center.
 - f) Status of Aid & Assist.
 - g) Release hearings are not held on this docket and are to be scheduled per Sections IV and V.

- h) Remote plea entries preceding the Final Resolution hearing. (see subsection (7) below).
- i) Plea by mail.
- 3. Friday Docket. On Friday mornings, CPC will hear requests for trial settings beyond the OJD Time to Disposition Standards. Reckless setovers and related economic damages hearings will be set at 10:30AM in CPC on Fridays until such time that such hearings are no longer needed to accommodate such plea agreements.
- 4. CPC Ex Parte. Matters that may be addressed at ex parte include judgments of dismissal, transport orders, appointment of attorneys when an attorney already represents a defendant, tracking orders, clothing orders, stipulated setovers that will not exceed OJD Time to Disposition Standards and stipulated release or release modification orders. Both parties must be present, or one party may represent that the other party agrees to the order.
- 5. Transports: Defendants in custody are not transported for CPC dockets unless specifically requested.
- 6. Appearance: Defendants may consent to appear through counsel at all CPC hearings, except defendant must appear in person as follows:
 - a) Plea and sentencing hearings, except on the remote plea docket (see Paragraph 7 below);
 - b) Warrant lift hearings;
 - c) Civil compromise hearings;
 - d) Substitution of counsel hearings if there is no “actual” conflict of interest. (If the reason for the substitution request is an actual conflict, defendant may appear remotely);
 - e) Call for trial (remote appearance allowed, unless otherwise ordered by the court)
- 7. Remote Plea Docket
 - a) Defendants who resolve their cases prior to the Final Resolution Docket will be allowed to appear at plea and for sentencing remotely.
 - b) In any circumstance where the defendant is permitted to appear remotely for a plea hearing, the plea documents must have been reviewed with counsel and signed by the defendant and filed with the court by 12PM (noon) the day prior to the hearing. The defendant must have a copy of the plea paperwork personally available to review with the court during the plea colloquy.
- 8. Plea By Mail
 - a) Defendants who are incarcerated or who otherwise are not physically able to appear in person or remotely may enter a plea by mail only when the plea agreement contemplates a sentence of discharge, time served sentence, or sentence to run concurrent with a sentence already being served.
 - b) A plea by mail must be accompanied by a certificate of counsel that the plea documents were reviewed by counsel with the defendant, signed or authorized for signature by the defendant, which must be filed along with the plea documents by 12PM (noon) the day prior to the hearing.

IV. DOMESTIC MISDEMEANOR/DOMESTIC VIOLENCE DOCKETS

- 1. The docket called on Thursday afternoons in JC2 can include the following DV-related matters:
 - a) Probation violations, both in custody and out of custody.
 - b) Pleas, both in custody and out of custody;

- c) Release hearings and modifications of release conditions;
 - d) Victim petitions for modification of no-contact orders;
 - e) DSP Status checks/sentencings; and
 - f) DSP entries if docket space allows.
- 2. Release hearings may also be scheduled in JC4 Tuesday afternoon or Wednesday through Fridays, either on the morning or afternoon dockets, as time allows.
- 3. Pretrial Conference and Final Resolution dockets for DV cases will be held Friday morning with the Domestic Misdemeanor Judge. Out of custody defendants wishing to enter a plea may do so at either the Pretrial Conference or Final Resolution docket. In custody defendants may be transported for a plea the day of their Pretrial Conference or Final Resolution hearing per procedure set forth in Sections VI.7 and VII.10.
- 4. DV DSP entries may be taken during the Thursday afternoon JC2 docket, and at the Pretrial Conference or Final Resolution date, if time allows. In custody defendants may request DV DSP entry on the Friday afternoon 8D docket. See Section VI.7 and VII.10.
- 5. VRO Trials are assigned from the Pretrial Conference docket and are set on Wednesday afternoons or Thursday mornings. There are a maximum of 5 trials set per day. VRO's may be tracked with pending misdemeanors per Section II.2.
- 6. DV Matters must be scheduled with four calendar days advance notice to allow the DA to contact victims. See SLR 4.024.

V. MISCELLANEOUS MISDEMEANOR DOCKETS

- 1. Release hearings should be set in JC4 on Tuesdays afternoon and Wednesday through Fridays morning and afternoon, but not on any day that follows a holiday or weekend. Release hearings may not be set on the CPC docket.
- 2. Fitness to proceed matters are to be set according to procedures for that docket. A case should have backup dates for status checks on the CPC docket.
- 3. Probation hearings: Misdemeanor probation show cause and probation violation hearings are set in JC2 according to procedures for that docket.
- 4. Sentencing and restitution hearings, except reckless setover/ economic damages hearings, are held in front of the judge to whom the case was assigned for trial or plea.
- 5. Appellate and Post Conviction Returns: Cases returning from appellate courts and postconviction returns are set in JC4 for new dates hearings and receive new Pretrial Conference and Final Resolution Docket dates.
- 6. The Expedited DUII (XDUII) docket is set on Fridays before the judge assigned to that docket.

VI. PRETRIAL CONFERENCE DOCKET:

- 1. The pretrial conference is the first of the two court dates set from arraignment. The pretrial conference docket is scheduled two weeks out from arraignment on a Friday morning on the DM/DV, private bar, MPD, or MDI docket.
- 2. Purpose: The purpose of the pretrial conference is to confirm defense counsel's contact with their client, to ensure timely delivery of discovery and a plea offer, and to engage in preliminary negotiations.

3. Required Appearance: The defendant is required to appear in person unless the lawyer files a consent to appear through counsel signed by the defendant. **(See Addendum 1)**. The defense lawyer is required to appear in person, with assigned counsel strongly encouraged to attend.
4. Conferral: If the defense lawyer is in contact with their client, the lawyers will confer and exchange discovery and a pretrial offer. Lawyers confer from 8:00 a.m. to 9:00 a.m.
5. Joint Status Report: The parties shall prepare and submit to the court a joint status report documenting the status of discovery production and transmittal of plea an offer. **(See Addendum 2)**. If parties have conferred prior to the Pretrial Conference, e-filed a Joint Status Report by 9:00 am the day prior and called the high-volume case processing unit (971-274-0545) or emailed them at MUL.Criminal@ojd.state.or.us by 10:30 am the day prior, the Pretrial Conference will be cancelled. If there is any outstanding discovery, or if a pretrial offer has not been transmitted, the parties must appear for the Pretrial Conference to report to the court and may not cancel.
6. Report to the court: The docket will reflect an 8AM appearance, but the judge will take the bench at 9AM to call the docket. As the judge calls the docket the attorneys should advise the court of the status of the defendant's case as follows:
 - a) Whether the defendant is present in person or a written Consent to Appear through Counsel form has been filed.
 - b) Whether the case is to be left on for the Final Resolution docket, or is ready for plea that morning, which may be taken the morning of the Pretrial Conference docket, so long as the defendant is present in person.
 - c) Confirm contact with client and conferral with DDA, report on production of discovery and transmittal of plea offer.
 - d) If discovery is incomplete or no pretrial offer has been transmitted, the DDA must report that to the court, provide a timeline for when discovery will be provided and an offer made.
7. Transport: By 10:30AM phone call, or by 11:00AM email the day prior, defense counsel can request their in-custody client to be transported to the Main Courthouse for the Pretrial Conference with a maximum of 10 defendants able to be transported per session. Counsel may not request a transport unless counsel has a good faith belief that the case will resolve that day by change of plea. Transported defendants will be available on the first floor visiting rooms at the Main Courthouse for visiting after 11:30AM. There will be a 1:15PM docket and a 3PM docket in Courtroom 8D for change of plea hearings. Counsel may have the opportunity to contact their clients in the 8D visiting rooms prior to the start of the hearings.
8. Warrant determination: If defendant does not appear or a signed Consent to Appear through Counsel form is not filed with the court, the court will make a warrant determination. In exceptional circumstances only, the court may carry the Pretrial Conference for one week. This one-week carry will not change the date set for the final resolution docket hearing.

VII. FINAL RESOLUTION DOCKET

1. Final resolution docket hearings are the second of the two court dates set from arraignment. Final resolution docket hearings are on Friday mornings on the DM/DV, private bar, MPD, or MDI docket. Final resolution docket hearings, for in-custody defendants, are **scheduled 4 weeks** out from arraignment, and for out-of-custody defendants, **7 weeks** out from arraignment.

2. Requests to change Final Resolution date: The Final Resolution date may be reset to an earlier date for any reason or with CPC approval, postponed by a maximum of two weeks only under exceptional circumstances.
3. Purpose: The purpose of the Final Resolution Docket hearing is to resolve the case by plea or set for trial within 90 days of arraignment in compliance with OJD Time to Disposition Standards.
4. Required Appearance: A defense lawyer authorized to make decisions must attend in person with their client. Defendant's appearance in person is required, and the defendant is expected to appear at the docketed time of 8:05 a.m. **No consent to appear through counsel or remote appearance is allowed, absent exceptional circumstances.**
5. Conferral: The lawyers are required to meet and meaningfully confer on case resolution. Lawyers confer from 8:00 a.m. to 9:00 a.m.
6. Discovery: The State is expected to confirm production of all discoverable material on or before the Final Resolution docket.
7. Joint Trial Report: If, after conferral, the case is to be set for trial or the parties are unable to resolve their matter, the parties must complete a Joint Trial Report (**See Addendum 3**), which will be used by the judge to assign cases to the Call docket or set future dates. If the parties are requesting the Court set dates for Call and Trial, the parties are required to report through the Joint Trial Report that good faith efforts to negotiate a pretrial resolution have failed and they, in good faith, expect to be ready for trial on the requested dates. Any outstanding discovery issues should be raised with the Court. The Joint Trial Report need not be prepared or submitted if the defendant is reporting ready to plea.
8. Report to the Court: The docket reflects an 8:05 AM appearance, but the docket will be called at 9:00 AM. The parties may report ready for plea or set a trial date at this hearing within the OJD Time to Disposition Standards.
9. Considerations for Date Selection:
 - The Final Resolution judge is not authorized to set a trial date beyond 90 days from arraignment. The parties must take any request for a trial date beyond 90 days from arraignment to CPC that morning, and report back to the Final Resolution judge after CPC rules on their trial date request.
 - Parties are strongly encouraged to select trial dates within the ensuing 30 days due to the State not knowing availability of police officer witnesses beyond that date and risk of further delays as a result.
 - If the parties report trial will take 5 days or more, the case will be set on the Presiding Call Docket in Room 7A.
 - Trials expected to last three or more days should be set for trial on Mondays or Tuesdays. Trials set on Tuesdays should be expected to last no more than three days. Trials set on Wednesdays should be expected to last no more than two days. Trials set on Thursdays should be expected to last no more than one day.
 - One day trials must be scheduled for Wednesdays or Thursdays. Mondays and Tuesdays are reserved for multi-day trials.

10. In-Custody Defendants: Defendants who are in custody are not automatically transported for this docket. By 10:30AM phone call, or by 11:00AM email the day prior, defense counsel can request their in-custody client to be transported to the Main Courthouse for the Final Resolution Conference with a maximum of 10 defendants able to be transported per session. Counsel should not request a transport unless they have a good faith belief that the case will resolve that day by change of plea. Transported defendants will be available in the first floor visiting rooms at the Main Courthouse for visiting after 11:30AM. There will be a 1:15PM docket and a 3PM docket in Courtroom 8D for change of plea hearings. Counsel may have the opportunity to contact their clients in the 8D visiting rooms prior to the start of the hearings.
11. Defense counsel should refrain from setting more than four defendants on the same Call docket.
12. No subsequent Friday hearings are permitted after the Pretrial Conference and Final Resolution Docket hearings are held.

VIII. CALL/TRIAL ASSIGNMENT DATES

1. The CPC Judge presides over Call/(the trial assignment docket), held Monday through Thursday at 9 a.m.
2. Defendants must appear at Call but may appear remotely.
3. Parties appearing at Call should report the expected length of trial, whether there are any omnibus motions or other pretrial motions, and whether any discovery issues remain.
4. Parties reporting ready for trial must represent in good faith whether they are truly ready to proceed to trial. Regarding witness availability, reporting ready in good faith means that witnesses have been personally served, or served through the court coordinator, or their appearance at trial has been confirmed. The State shall report as soon as practicable to the court if it will not be able to proceed on the day of trial.
5. At the end of each call docket, the Court will announce any reassignments of trial judges, at which point the coverage attorney (or the case attorney, if present) can announce an affidavit, if there is one.
6. No setover motions are allowed at Call unless there exist compelling circumstances that could not have been addressed through a motion for continuance on an earlier further proceedings docket.
7. Parties may not call off their subpoenaed witnesses, even if circumstances favor a setover, until the CPC judge approves.
8. Trials are set Mondays through Thursdays in most weeks. If at the Final Resolution Conference, the parties report trial will take 5 days or more, the case will be set on the Presiding Call Docket in Room 7A. Otherwise, trial assignments are as follows:²
 - i. Trials set to begin on Mondays (Call dates on Thursdays, eleven days prior): 4 days or less.
 - ii. Trials set to begin on Tuesdays (Call dates on Mondays, eight days prior): 3 days or less
 - iii. Trials set to begin on Wednesdays (Call dates on Tuesdays, eight days prior): 2 days or less
 - iv. Trials set to begin on Thursdays (Call dates on Wednesdays, eight days prior): 1 day or less.

² Trial assignments will be adjusted for weeks in which there are holidays or conferences scheduled.

9. The State shall staff courtrooms for all the regularly assigned Misdemeanor Judges each day. The court will endeavor to assign DDAs or defense attorneys with more than one case to the same judge/courtroom. Additional trials and courtrooms may be assigned as overflow if staffing levels permit.
10. The CPC judge assigns cases first to the judges assigned to the misdemeanor docket. If all misdemeanor judges are in trial or otherwise unavailable, the CPC judge will consult with the Presiding Judge to determine if there may be another judge available for trial and may send the trial there if the defense attorney and DDA are available.
11. Motions to Change Judge pursuant to ORS 14.250 must be announced at Call and filed according to the procedures set out in those statutes ORS 14.260-14.270 and SLR 7.045. Copies must be served on the assigned judge, CPC judge, and Presiding court.
12. Trials will be assigned priority in the following manner:
 - a) 1st priority will be in custody DM/DV defendants.
 - b) 2nd priority will be in custody defendants in non-DV cases. In determining priority, the court may take into consideration whether the defendant is in custody on the case set for trial or a different case.
 - c) 3rd priority will be witnesses or interpreters flying in from out of town.
 - d) 4th priority will be out of custody DV cases.
 - e) 5th priority will be cases involving local interpreters.
 - f) 6th priority will be date certain cases or cases that are three days or longer.
 - g) 7th priority will be based on date of issuance.
 - h) The CPC judge retains discretion to alter the priority depending on the circumstances present on the day of assignment. The trial judge should confer with CPC before altering the priority. If the CPC court is unable to timely confer, the trial judge has discretion to alter priority.
13. The maximum number of defendants sent out for trial per defense attorney is two. The court may re-set excess cases in which parties are reporting ready for trial at Call based on lowest case priority.

IX. TRIAL SETOVER POLICY

1. There are no automatic number of setovers for either side. The court's decision will be guided by the Court's Continuance Policy, **(under review)**, which accounts for the age of the case and the OJD Time to Disposition standards, among other considerations.
2. The court retains discretion to deny setovers that will take a case past that date and/or to make a case "date certain." Once a case is date certain, continuances of trial will be allowed only for exceptional compelling circumstances.

X. PRETRIAL MOTIONS

1. Per UCR 4.010, motions for pretrial rulings on matters subject to ORS 135.037 and ORS 135.805 to 135.873, including motions to suppress, must be filed in writing not less than 21 days before trial. Any response must be served on the judge immediately following an assignment. Motions and responses should be served on opposing counsel by e-mail. **Motions not filed 21 days before trial will be considered untimely and will not be heard absent a good cause finding.**

2. If requested in the caption, pursuant to UTCR 4.010(2), a pretrial motion may be heard prior to the trial date. If the parties certify that they are ready for trial at Trial Call, then the CPC judge will endeavor to send the pretrial motion out for hearing the next day, absent good cause, so as to comply with UTCR 4.010(3), except cases on the Call docket on a Thursday, will be set for a motion hearing the following Monday.

XI. DAY OF TRIAL

1. The trial judge may take pleas, sign judgments of dismissal and order bench warrants. The trial judge shall endeavor to handle all cases set before it that are resolving by plea agreement.
2. In determining the order of trials, the trial judge and attorneys must follow the priority list set out on the list of trials assigned for the day. The trial judge should confer with CPC before altering the priority. If the CPC court is unable to timely confer, the trial judge has discretion to alter priority when compelling circumstances are present.
3. If any party requests a setover for any reason on the day of trial, they must return to CPC. Witnesses may not be excused without approval from the CPC judge.
4. Setovers in lower-priority trials: If the lower-priority trial involves an attorney for either the state or defense in the higher-priority trial, the trial judge may grant new call and trial dates within the next 30 days. No Pretrial Conference or Final Resolution hearing may be set. If the parties cannot select a date within the next 30 days, the parties can place the case on the next available 9 a.m. further proceedings docket in CPC. If the lower-priority trial does not involve an attorney in the higher-priority trial, the parties must report to CPC for assignment to another judge or setover. [Note: Witnesses may not be released without approval from the CPC judge.]
5. Discovery Violations - If a party claims a discovery violation as a basis for a setover request, the trial judge should address the discovery dispute. In determining whether a discovery violation occurred and in determining the appropriate remedy, the trial judge may consider, among other factors, whether at the Final Resolution docket, the state confirmed discovery as complete; how long discovery has been in the possession or control of the state; whether the discovery issue was previously raised with the court; and whether the party filed a motion to compel regarding missing discovery. If the trial judge determines that a discovery violation occurred, the trial judge should consider the appropriate remedies to address the violation. If the trial judge decides to continue the case as a remedy for a discovery violation, the parties shall report to CPC for new dates.
6. If a case results in mistrial, it must be returned to CPC for new dates.
7. The trial court retains completed cases for sentencing and restitution hearings.

XII. Addendum 1

**In The Circuit Court of the State of Oregon
for the County of Multnomah**

State of Oregon v. _____ Defendant	Case No: _____ Consent To Appear Through Counsel
---------------------------------------------------------	--------------------------------------------------------------------

By signing this document and filing it with the Court, I hereby consent to my attorney appearing on my behalf in the above-captioned case. I acknowledge that my appearance through counsel may only be permitted in the following Misdemeanor hearing types:

- Further Proceedings in Criminal Procedures Court (CPC); and
- Pre-Trial Conferences

I understand that my personal appearance is required at all other hearing types. **I understand I must appear in person at the courthouse for my final resolution conference scheduled for 8:00 a.m. on _____, in Courtroom 2: _____.**

Furthermore, I acknowledge the following:

- 1) I am the above-named Defendant.
- 2) I take responsibility for knowing every date, time, and location set for a hearing in my case.
- 3) I will stay in contact with my attorney and will contact the court, if needed, to confirm the date, time, and location of my court dates and to confirm whether my personal appearance is required.¹
- 4) I understand that if I fail to appear for any court date at which my personal appearance is required, a warrant for my arrest may be issued, my release could be revoked, and I could be charged with the crime of Failure to Appear.
- 5) When my personal appearance is not required, I permit my attorney to appear on my behalf and represent my interests.
- 6) I understand that I have the right to personally appear at any hearing in this case even though I have signed and filed this document.
- 7) I understand that I can revoke this consent at any time while my case is pending.

¹ To find out the time and location of your hearing you may call 971-274-0545, option 5.

I have read and understand this entire document and have discussed it with my attorney. I understand that I am not required to consent to appearance through counsel and I am signing this document voluntarily.

Date Defendant Name Defendant Signature

The undersigned attorney certifies they have reviewed this consent document with their client and has advised them of the consequences of failing to appear when required to do so and agrees to report the case ready for trial only when they have conferred with the client about the proposed trial date and can confirm the client is available and will appear at the time of trial.

Date Attorney Name Attorney Signature²

XIII. Addendum 2

**In The Circuit Court of The State Of Oregon
For Multnomah County**

State of Oregon v. Defendant	Case No: _____ Joint Status Report (Pretrial Conference) and Conferral Certificate
--------------------------------------------	------------------------------------------------------------------------------------------------------

Dist. Attorney: _____ OSB # _____

Def. Attorney: _____ OSB# _____

Defendant Appearance and Custody Status:

<input type="checkbox"/> Out of Custody	<input type="checkbox"/> In Custody
<input type="checkbox"/> Defendant is present and in person; Or	
<input type="checkbox"/> A written <i>Consent to Appearance through Counsel</i> Form will be filed today, or was previously filed	

Discovery: ☐ State confirms discovery complete ☐ Discovery remains outstanding: _____

_____ ; date expected: _____

Pre-Trial Offer Status: Pre-Trial Offer ☐ has been provided or ☐ date expected: _____

☐ **Conferral Certificate:** The parties are requesting to cancel the pretrial conference and certify that the information above is true and accurate and have meaningfully conferred regarding a pretrial offer and discovery. (For cancellation of the PTC, this document must be filed by 9:00 am the day prior and the high-volume case processing unit must be called or emailed to confirm by 10:30 am the day prior to the scheduled PTC, MUL.Criminal@oid.state.or.us or 971-274-0545, option 5).

Date Defense Attorney Deputy District Attorney

XIV. Addendum 3

**In The Circuit Court of The State Of Oregon
For Multnomah County**

State of Oregon v. Defendant	Case No: _____ Joint Trial Report (Final Resolution Conference) and Court Order
--------------------------------------------	-----------------------------------------------------------------------------------------------

Dist. Attorney: _____ OSB # _____ Def. Attorney: _____ OSB# _____

Case Report

☐ Defendant appeared in person; ☐ Defendant is in custody
 Date of arraignment: _____
☐ The Parties have made good faith efforts to negotiate a case resolution, have failed to reach a resolution, and, in good faith, **expect to be ready for trial on the following dates:**
Call: _____ **Trial:** _____
☐ CPC Judge approved trial date if beyond 90 days from arraignment.
☐ Interpreter needed, Language: _____¹
 Estimated trial length (including day of trial motions²): _____
 Number of expected witnesses: State: _____ Defense: _____
Discovery: ☐ State confirms discovery complete ☐ Discovery remains outstanding: _____
 _____; date expected: _____

Court Order

Defendant is ordered to appear as follows:

☐ Call at 9:00 a.m. on _____ in CPC; ☐ Remote appearance allowed³ or ☐ Defendant must appear in person.
☐ Trial date: _____ **Defendant must appear in person for trial** (Confirm dates within 60-day limits).
☐ CPC Further Proceeding: _____
 Form of appearance for CPC FP: ☐ Remote ☐ In person ☐ Through counsel
☐ Track with case no. _____; Next appearance: _____
☐ Other: _____
☐ **Defendant failed to appear and the Court orders a bench warrant.**
☐ Security set at \$ _____ or ☐ Release per Presiding Release Order _____

 Date Name of Judge, Printed Circuit Court Judge Signature

¹ Requesting party must contact Interpreter Services per UCTR 7.070 and SLR 7.071.

² Motions subject to UCTR 4.010(1) must be filed in writing not less than 21 days before trial.

³ When remote appearance is permitted by the court, participants join by phone by dialing 503-388-9555 and entering the access code 146 596 9700 followed by ##